

REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed September 13, 2005. Claims 1- 39, and 41-51 are presented herewith for consideration.

Currently, claims 1- 39 and 41-51 are pending. Applicants have clarified claims 1, 9, 38, and 35. Applicants respectfully request reconsideration of claims 1- 39 and 41-51.

I. Summary of the Examiner's Objections

Claim 1 appears to be rejected under 35 USC 112. However, no explicit statement that the rejection occurred can be found in the Office action. Rather a quotation and heading "Claim Rejections – 35 USC §112" are present.

Claims 1-4, 7-11, 15-21 and 28 were rejected under 35 U.S.C. 102(b) as being anticipated by *Ito* (U.S. 5,761,674) provided by Applicant.

Claims 5, 6, 12, 13, 22-25, 27, 30-35, 37, 38 and 41-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ito* (U.S. 5,761,674) provided by Applicant in view of *Krause* (U.S. 5,950,206) provided by Applicant.

Claims 14, 26, 29 and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Ito* (U.S. 5,761,674) in view of *Krause* (U.S. 5,950,206) provided by Applicant and in view of *Bentley et al.* (U.S. 6,06,3128) (Bentley).

II. Summary of the Amendments

Claims 1, 9, 38 and 35 have been amended.

III. Remarks

Based on the above amendments and these remarks, reconsideration Claims 1- 39, and 41-51 is respectfully requested.

It is respectfully submitted claims 1, 9 and 28 are not anticipated by Ito, nor are the claims obvious in view of Ito in combination with Krause or Bentley. In particular, and as discussed herein:

- Ito fails to disclose a data structure defined in terms of item type templates which allow data values describing a particular item to follow a common definition format for each instance or “specification” of a given item of said item type. When data values are entered into the type template, a physical item of that type is specified (i.e. an item specification). Rather, Ito discloses data objects, object inheritance, and a view hierarchy of the objects. There is no evidence of any use of a common template or common structure based on type. No “templates” for types of objects are disclosed.
- Ito does not disclose a “component” value within the types for relating types. Hence, Ito does not support a “component value” as the term is used in the context of the claims.

These particular features of the invention are defined in the claims of the present invention.

Rejection of Claims 1-4, 7-11, 15-21, and 28 under 35 U.S.C. § 102(b)

It is respectfully submitted claim 1 is not anticipated by Ito. Claim 1 calls for:

at least **one item type template** defining for a subset of items a plurality of data fields characterizing the definition for the item type; and
at least one specification for each physical item, ... including:
at least one component value associating the at least one item type with a second item specification (emphasis added)

The Examiner’s attention is directed to page 30, lines 11-28 and Figures 13-14 of the present application.

There is no disclosure in Ito supporting an anticipation rejection of an item type template. Ito discloses “views” and objects. View are not objects. Rather, a view is a logical presentation of objects usually resulting from a database query. As commonly understood, a view is defined as:

In relational database management, a special display of data, created as needed. A view temporarily ties two or more files together so that the combined files can be displayed, printed or queried; for example, customers and orders or vendors and purchases. Fields to be included are specified by the user. The original files are not permanently linked or altered; however, if the system allows editing, the data in the original files will be changed.
(<http://www.answers.com/view>)

According to Ito, a view is created based on data defined in objects. However, there is no disclosure of the classification of the items in the system into particular groups or “types”, nor the provision of a template based on such types to allow each item definition (or specification, in the terms of the application) of the same type of object to be uniform.

According to the Examiner, templates are disclosed at Col. 13, lines 12 – 67 of Ito. (It is noted that Col. 13, line 67 does not end a sentence.) However, there is no disclosure in this section remotely relevant to defining object templates for items in a construction project or building templates for each type of object. Rather this section discussed collaboration or “cooperative design in which an architect and structural and mechanical engineers share the same design information”. In one particular passage, the specification provides:

The model consequently has a large amount of data required, but the data that is provided is completely different depending upon the position or occupation of the person who works with the model, and the time when he enters (Col. 13, lines 43 – 45.)

Hence, the Ito recognizes that data may be entered differently depending upon the person entering

the data. In contrast, templates assure that data fields (and hence the resulting specification of items) have at least a common format. In other words, a chair will always be defined with, for example, a material and color. (See Figure 7 and accompanying description in the Written Description)

In addition, there is no concept of linking items using a component value. Ito discloses views, objects and, at Figure 6b a “description” on the use of the building, location and client. In addition, Ito discloses the use of objects to contain data, and hierarchical views of those objects. However, there is no disclosure that the objects themselves include a definition of their relationship to other objects by use of a component value as defined in the claims.

The Examiner cites Col, 4, lines 8 – 19 of Ito as disclosing a “component value”. However, there is nothing in this section which discusses the relationship of objects to other objects. Rather, this section discusses the concept of objects and that values can be included in frames or slots of the object. There is no discussion of object data “...associating the at least one item type with a second item specification.” It is noted that Col 4, lines 20 – 31 of Ito discusses the concept of arranging objects in a hierarchical structure so that functional attributes can be automatically inherited from each higher level to a lower level. However, this concept of inheritance is common to object oriented models and does not disclose a “component value” for relating items as described in the specification at page 30, lines 11 – 28, and Figures 13 and 14.

Since each and every limitation of claim 1 is not disclosed in Ito, claim 1 is not anticipated by Ito. It is further respectfully submitted claims 2 – 8, dependent from claim 1 and including all the limitation thereof, are not anticipated by Ito.

It is further submitted claim 9 is not anticipated by Ito. Claim 9 includes limitations similar to those set forth above with respect to claim 1. In particular, claim 1 calls for:

defining at least one item type template comprising a plurality of data fields provided by a user to describe one of said items;

receiving a plurality of data values for each of said plurality of items, each value being provided into a data field of said at least one type template on the interface, wherein the plurality of data values for each item comprise a specification for said item and each data field of the specification describes an attribute of the item or at least one component value associating the at least one item type with a second item type; and

For the reasons set forth above with respect to claim 1, it is respectfully submitted claim 9 is not anticipated by Ito. It is further respectfully submitted claims 10-11, 15-21 dependent from claim 9 and including all the limitations of claim 9 are not anticipated by Ito.

Claim 28 is likewise not anticipated by Ito. Claim 28 includes limitations similar to claims 1 and 9 including:

(c) providing at least one item type template for collecting information from a user including a plurality of data fields describing an item; and

(d) receiving data from the client including at attribute value characterizing the item and at least one component value associating the at least one item type with a second item type for at least one item and storing said values in a database.

For the reasons set forth above with respect to claim 1, it is respectfully submitted claim 28 is not anticipated by Ito.

Rejection of Claims 5, 6, 12, 13, 22-25, 27, 30-35, 37, 38 and 41-51 under 35 U.S.C. 103(a)

Claims 5, 6, 12, 13, 22-25, 27, 30-34 all depend from claims 1, 9 or 28, respectively. Each of the aforementioned claims includes both a “type template” and a “component value” as discussed above. According to the Examiner, Krause is combined with Ito to show it would have been obvious to one of ordinary skill in the art to include a history tracking field. (Office Action, page 7, para. 1)

It is respectfully submitted claims 5, 6, 12, 13, 22-25, 27, 30-34 are not obvious as neither

Krause nor Ito would render the invention defined therein, including a template and a component value, obvious to one of average skill.

As noted in response filed July 15, 2004 to the Examiner's rejection the initial claims based on anticipation over Krause, Krause does not disclose a template or any tools with respect to a template, but rather discloses a document information database. There is no disclosure in Krause that the construction projects tracked in the information database of documents contain items. It is respectfully submitted that the Examiner's current reliance on Ito (and withdrawal of the rejection based on Krause) support this contention. Hence it has been recognized that Krause does not show a "template" and given the failure of Ito with respect to teaching a template, it is respectfully submitted claims 5, 6, 12, 13, 22-25, 27, 30-35, 37, 38, and 41-51 are not obvious.

Further with respect to independent claim 35, claim 35 includes limitation similar to claim 1 calling for:

a data store for item specification data provided on a host computer coupled to a network, each item specification including for one of the plurality of items at least one attribute value characterizing the item and **at least one component value** associating the item specification with a second item specification;

at least **one item type template** for collecting information from a user provided on the host computer, the template including a plurality of data fields; and (emphasis added)

Neither Krause nor Ito discloses a type template nor a component value. Hence, it is respectfully submitted that claim 35, and claims 38 and 41-51 are not obvious over Ito in view of Krause.

It is further respectfully submitted claims 14, 26, 29 and 36 are not obvious in view of Ito, Krause in combination with Bentley. Bentley is cited for teaching that the "the network is the Internet") (Office Action page 13.)

Bentley teaches nothing with respect to the type templates or component values in an item specification.

It is therefore respectfully submitted that claims 1- 39, and 41-51 are not anticipated by Ito, nor are the claims obvious in view of Ito in combination with Krause or Bentley.

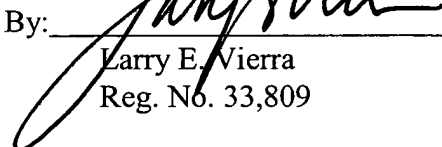
The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, March 13, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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